

# FISCAL NOTE

## SB 2413 - HB 2570

February 26, 2002

**SUMMARY OF BILL:** Re-categorizes and increases fees for some services provided by sheriffs or constables. Authorizes service of civil process by any person who is not a party to the action and is not less than 18 years of age. Establishes guidelines for service of civil process.

### ESTIMATED FISCAL IMPACT:

**Local Govt. Revenues - Net Decrease - Exceeds \$2,000,000**  
**Decrease Local Govt. Expenditures - Exceeds \$100,000**

Estimate assumes:

- sheriffs' offices across the state collect over \$11,000,000 in fees from serving civil process. Approximately 75% of such fees come from process served out of general sessions court.
- a 50% reduction in the fees for service of civil process by sheriffs or constables in general sessions courts as a result of authorizing private service of civil process in such courts. Increasing fees for service of process will contribute to the decrease as private process servers may be able to offer their service at a lower cost than the mandated fees for sheriffs and constables.
- as a result of increasing rates for services performed by sheriffs and constables they will experience an increase in revenues from such fees which will offset 50% of the fees lost through the private service of civil process. The net decrease in revenues is estimated to exceed \$2,000,000 statewide.
- the expenditures associated with serving general sessions civil process will decrease with the reduction in the number of papers served by sheriffs. Sheriff's offices are not expected to significantly reduce staffing levels.
- state expenditures will not be affected as bill retains provision in existing law specifying that any fee or mileage allowance assessed against the state or representing a cost to the state shall be limited in amount to the fees allowable immediately prior to May 28, 1977 (Section 1 (b) of the bill).

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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